



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

SKINNER, MICHAEL K. ET AL.

Serial No.: 09/676,052

Filed: September 28, 2000

For: METHOD OF DETERMINING
TUMOR CHARACTERISTICS BY
DETERMINING ABNORMAL COPY OF
NUMBER OF EXPRESSION LEVEL OF
LIPID-ASSOCIATED GENES

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

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SECOND INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)(3)

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 C.F.R. § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 C.F.R. § 1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designated by Applicant as such.

OC-70470.1

CERTIFICATE OF MAILING
(37 C.F.R. § 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

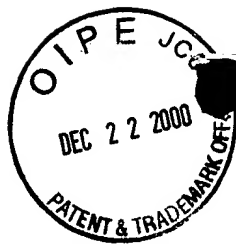
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Lynne Fulmer

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Patent
252/124

This IDS is believed to be timely in that it is being submitted under 37 C.F.R. § 1.97(b)(3), that is before the mailing of a first Office action on the merits. Thus, no petition or fee is required. However, if the undersigned is in error in this regard, then it is requested that the Office consider this IDS as filed under 37 C.F.R. § 1.97(c).


Pursuant to 37 CFR § 1.97(e)(1), the undersigned certifies that to the best of his knowledge, each item of information contained in this IDS was cited in a communication from a foreign patent office in a related counterpart foreign application not more than three months prior to the filing of this IDS.

The Commissioner is hereby authorized to charge any fees required by the filing of these papers to Lyon & Lyon's Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

By:


Patrick S. Eagleman, Reg. No. 44,665

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Dated: December 20, 2000

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